

## Department of the Army, DoD

## § 527.30

redeem it within the grace period has committed a third offense.

(b) An individual who writes 5 dishonored checks which are unrelated to each other and redeems them all within the grace period has committed a third offense.

(c) The penalty for a third offense is required attendance at remedial training, overstriking of the ID card, and suspension of check-cashing privileges for 18 months from date of suspension letter if the checkwriter is not currently on the dishonored checklist. If the checkwriter is currently on the dishonored checklist, the suspension period will be increased by 18 months.

(d) The individual may be removed from the dishonored checklist prior to the end of the suspension period if the check has been redeemed, all charges have been paid, remedial training has been completed, the individual passed the installation checkbook maintenance test, and the individual appointed by the installation commander (§ 527.10(c)) so approves.

### § 527.28 Fourth or greater offense.

(a) An individual who writes a fourth dishonored check, unrelated to the previous checks, and does not redeem it within the grace period has committed a fourth offense.

(b) An individual who writes 6 dishonored checks which are unrelated to each other and redeems them all within the grace period has committed a fourth offense.

(c) The penalty for a fourth offense is required attendance at remedial training, overstriking of the ID card, and suspension of check-cashing privileges indefinitely from the date of suspension letter.

(d) The individual may be removed from the dishonored checklist if the check has been redeemed, all charges have been paid, remedial training has been completed, the individual passed the installation checkbook maintenance test, and the installation commander (§ 527.10(d)) so approves.

## Subpart C—Procedures

### § 527.29 Check-cashing facility.

In addition to the requirements of its proponent agency, the head of the fa-

cility to which a check is returned unpaid will do the following:

(a) Notify the checkwriter through the checkwriter's unit commander (for soldier or family member) or checkwriter's supervisor (for civilian) of the dishonored check. See figure 3-1 for a sample notification letter. A copy of the notification will be furnished to the ICCO. Sufficient copies will be sent to the commander or supervisor so a copy can be returned to the ICCO acknowledging receipt and indicating action to be taken. Notices will include, but are not limited to, the following:

(1) Name of checkwriter (or endorser, if a two party check).

(2) Date and amount of check.

(3) SSN of checkwriter.

(4) Status (active duty, retired, Reserve, National Guard, family member, civilian employee, etc.) and service (Army, Navy, Air Force, Marine Corps, or Coast Guard).

(5) Name, grade, SSN, and duty station of sponsor, if applicable.

(6) Home address and telephone number.

(7) Clear instructions covering—

(i) Method of redemption.

(ii) Time allowed in which redemption must be made.

(iii) Administrative/service charges.

(iv) Appeal rights.

(b) Notify the ICCO as soon as—

(1) The check is redeemed. Provide date of redemption.

(2) Written evidence is furnished proving a bank or other error clearing the checkwriter of fault.

(3) The checkwriter fails to redeem the check within the grace period.

(4) The check is written off.

(c) Begin action for collection from pay when authorized, if all efforts at direct collection fail. (See AR 37-108, AR 37-104-3, and AR 37-104-10.)

### § 527.30 Unit commander.

On receipt of notice that a soldier or a soldier's family member of a commander's unit has written a dishonored check or has been placed on the dishonored checklist, the unit commander will (Some of these actions may be done by the PAC where PACs exist.)—

## § 527.31

## 32 CFR Ch. V (7–1–02 Edition)

(a) Deliver the notice and counsel the checkwriter to comply with the requirements of the notice. See figure 3–2 for a sample counseling statement.

(b) Return copy of notification letter to the ICCO within 10 calendar days stating whether the dishonored check was redeemed within the grace period.

(c) Assist the checkwriter in determining the cause of the dishonored check. Make proper referral if budget counseling or financial assistance is needed.

(d) Assist the checkwriter in obtaining proof of bank or other excusable error clearing the checkwriter of fault.

(e) Schedule remedial checkbook maintenance training and ensure the checkwriter attends the training.

(f) Determine if checkwriter should have ID card over stamped if this is the first or second offense. If the decision is to overstamp the ID card, the unit commander will—

(1) Ensure the checkwriter receives notification and is counseled to comply with the instructions.

(2) Refer checkwriter to ID card issuing facility for reissuing of new ID card with overstamp.

(3) Ensure that the checkwriter received an over stamped ID card.

(4) Notify ICCO within 15 days from date of notification letter which notified the checkwriter of placement on dishonored checklist that ID card was over stamped.

(g) Work with the finance officer to cash checks for a soldier who is on the dishonored check list, is on SURE-PAY, and has a non-local bank account.

(h) Ensure checkwriter redeems the check and pays any administrative/service charge.

(i) Take administrative or disciplinary action, when proper. (See AR 600–31 and AR 600–37.)

(j) Approve/disapprove appeal actions on first offense if remedial training has been completed, the checkwriter passed the installation checkbook maintenance test, the check has been redeemed, and the administrative/service charges have been paid. If approval is given, send a letter to the ICCO stating that approval is granted to remove the soldier or family member from the dishonored checklist. Letter must indi-

cate action taken on counseling and training, that the checkwriter passed the installation test on checkbook maintenance, that checks have been redeemed, and administrative/service charges have been paid.

(k) Forward appeal actions on second and greater offenses to the individual designated by the installation commander to handle such appeal actions if the conditions in paragraph (j) of this section.

(l) Maintain soldier on SURE-PAY if at all possible.

### § 527.31 Supervisor of civilians.

On receipt of notice that a civilian employee under his/her supervision has written a dishonored check or has been placed on the dishonored checklist, the first line supervisor will—

(a) Deliver the notice and counsel the checkwriter to comply with the requirements of the notice.

(b) Return a copy of the notification to ICCO within 10 calendar days of date of notice indicating receipt and proposed action to be taken.

(c) Schedule remedial checkbook maintenance training and ensure the checkwriter attends the training.

(d) Ensure checkwriter redeems check(s) and pays any administrative service charges.

(e) Approve/disapprove appeal actions on first offense if training has been completed, the checkwriter passed the installation checkbook maintenance test, the check has been redeemed, and the administrative/service charges have been paid. If approval is given, send a letter to ICCO stating that approval is granted to remove the checkwriter from the dishonored checklist. Letter must indicate action taken on counseling and training, that the checkwriter passed the installation checkbook maintenance test, that the check has been redeemed, and that administrative/service charges have been paid.

(f) Forward appeal actions of second or greater offenses to individual designated by the installation commander if the conditions in paragraph (e) above have been met.